IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
(Special Original Jurisdiction)

THURSDAY, THE TWENTY THIRD DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO : 16886 of 2004

Between:
Sharfuddin S/o Aboobakar
R/o Flat No. 302/1, Sumithra Apts., Trimulagherry, Secunderabad
..... PETITIONER

AND

The Registrar of Companies, Andhra Pradesh, Hyderabad 1st floor, Kendriya Sadan, Koti Hyderabad
.....RESPONDENT

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ of Mandamus, or any other appropriate Writ, order or direction, declaring the action of the respondent in refusing to allow the petitioner to inspect records to M/s. Sree Raghavendra Rubber Industries Private Limited, Company No. 7352 of 1987-88 and refusing to issue certified copies of the said records without any just and reasonable cause as being illegal, arbitrary and violative of Article 14 of the Constitution of India and consequently direct the respondent to forthwith allow the petitioner to inspect the records relating to the said company and also issue certified copies of the same.

Counsel for the Petitioner: MR.T.SURYA SATISH

Counsel for the Respondent: MR.KANTHI.NARAHARI

The Court at the admission stage made the following:

ORDER:

This writ petition is filed seeking a declaration that the action of the Registrar of Companies, Andhra Pradesh, Hyderabad, in refusing to allow the petitioner to inspect the records relating to M/s.Sree Raghavendra Rubber Industries Private Limited, Company No.7352 of 1987-88 and also in refusing to issue the certified copies of the said records, is arbitrary and illegal.

The petitioner claims to be the Managing Director of M/s.Sree Raghavendra Rubber Industries Private Limited, a company incorporated under the provisions of the Companies Act. He states that in view of certain disputes arose with the other Directors of the Company, he filed O.S.No.1017 of 1999 on the file of the Court of the Principal Junior Civil Judge (East and North), Ranga Reddy District, seeking injunction against the said persons who are interfering with the peaceful functioning of the company. The suit is admittedly pending. While so, since the defendants have proclaimed that they had become Directors and Managing Directors respectively, the petitioner wanted to verify the correctness of the records and for the said purpose, he requested the respondent – Registrar of Companies herein to allow him

to inspect the file pertaining to M/s.Sree Raghavendra Rubber Industries Private Limited and also to issue certified copies of Form No.8, Form No.13 and Form No.32 that have been filed during the years 1996 to 2001. The grievance of the petitioner is that in spite of his repeated requests, the respondent failed to furnish the said certified copies and he was not even permitted to inspect the records. Hence, this writ petition.

I have heard the learned counsel for the petitioner and Sri.K.Narahari, learned counsel appearing for the respondent.

The learned counsel appearing for both the parties have agreed that under Section 610 of the Companies Act, 1956, the petitioner is entitled to inspect the records and he is also entitled for the certified copies of the documents, as sought by him.

In the circumstances, I deem it appropriate to dispose of the writ petition with a direction to the respondent to allow the petitioner to inspect the records relating to M/s.Sree Raghavendra Rubber Industries Private Limited, Company No.7352 of 1987-88 and also to issue the certified copies as required by him within a period of one week from the date of receipt of a copy of this order.

Accordingly, the writ petition is disposed of. No costs.

23.09.2004

Note: Furnish CC in two days

(b/o)

VGB

To

1 The Registrar of Companies, Andhra Pradesh, Hyderabad 1st floor, Kendriya
Sadan, Koti Hyderabad

2 2CD copies